

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX
FT. WORTH DIVISION

2017 AUG -7 AM 11:44

GILBERTO CRUZ AND CARINA CRUZ,

Plaintiffs,

V.

**ALLSTATE VEHICLE AND PROPERTY
INSURANCE COMPANY AND ROBERT
WHITE,**

Defendants.

[illegible]

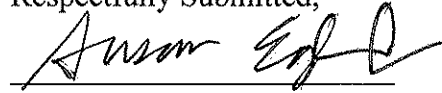
CLERK OF COURT
ORIGINAL

CIVIL ACTION NO.: 4:17-CV-00491-A

**DEFENDANT ROBERT WHITE'S MOTION TO DISMISS FOR FAILURE
TO STATE A CAUSE OF ACTION PURSUANT TO RULES 12(b)(6) AND 9(b)
OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Defendant Robert White moves the Court pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure to dismiss Plaintiffs' Amended Complaint (Dkt. No. 16) for failure to state a cause of action. In support thereof, Defendant incorporates and submits the accompanying Memorandum of Law.

Respectfully Submitted,



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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing instrument was served on opposing counsel as listed below Via ECF electronic notification on August 7, 2017:

Gregory Cox
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SUSAN E. EGELAND